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COMMITTEE ON THE INTERNATIONAL YEAR
FOR HUMAN RIGHTS

DRAFT REPORT OF THE COMMITTEE ON THE INTERNATIONAL YEAR FOR HUMAN RIGHTS

Rapporteur: Mr. Michelangelo PISANI MASSAMORMILE (Italy)

PART III: DRAFT RESOLUTION

185. In Part III of its report, the Working Group submitted to the Committee a draft resolution for consideration and adoption. Because of differences of opinion on the international conference the Working Group decided that the dra resolution would deal only with the earlier parts of its report (ST/SG/AC.5/5, paras. 6-27), and with those parts of section E on which there was a consensus The draft resolution read as follows:

"The Committee on the International Year for Human Rights

"Having been requested by the Commission on Human Rights in resolution 6 (XX) to recommend a programme of measures and activities to undertaken by Member States, the United Nations and specialized agencies celebration of the twentieth anniversary of the Universal Declaration of Human Rights and in the furtherance of human rights and fundamental freed

"Recommends that the Commission on Human Rights invite the General Assembly, through the Economic and Social Council, to adopt the following draft resolution:

A

"The General Assembly,

"Recalling its resolution 1961 (XVIII) of 12 December 1963 designati the year 1968 as International Year for Human Rights,

"Noting the programme of measures and activities to be undertaken in connexion with the International Year for Human Rights and in celebration the twentieth anniversary of the Universal Declaration of Human Rights recommended by the Commission on Human Rights in accordance with that resolution,

I

"1. Calls upon Member States, the specialized agencies, and (the international and national organizations concerned) to devote the year 196 to intensified efforts and undertakings in the field of human rights, and including an international review of achievements in this field;

"2. Approves the programme of observances, measures and activities envisaged for the United Nations in the report of the Committee on the International Year for Human Rights as set out in paragraphs 7 to 14 of that report and requests the Secretary-General to undertake the necessary preparations for such observances and activities in accordance with the recommendations contained in the Committee's report.

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II

"3. Requests the Secretary-General to transmit the present resolution and the report of the Committee to Member States, States members of the specialized agencies, the specialized agencies and non-governmental organizations having consultative status with the Economic and Social Council;

"4. Commends to the consideration of these States, agencies and organizations the programme of measures and activities set out in that report and invites their co-operation and participation in this programme with a view to making the celebrations successful and meaningful;

"5. Invites Member States and States members of the specialized agencies, as part of their intensified domestic efforts in the field of human rights before the beginning of the International Year which was envisaged in operative paragraph 4 of resolution 1961 (XVIII):

"(a) to designate or, where they do not already exist, to establish advisory bodies, composed, (if possible) of independent and impartial individuals of outstanding calibre and including jurists of recognized reputation, to examine all existing domestic legislation in the light of the standards set out in the Universal Declaration of Human Rights, to consider in what respect such legislation may fall short of these standards, and to suggest to the Government the enactment of new or amending laws designed to bring the domestic legislation into conformity with the standards enunciated in the Declaration; and

"(b) to embark upon an intensified three-year educational campaign, culminating in 1968, aimed at mobilizing the energies and resources of universities, colleges, and other institutions of higher learning, the various media of information and mass communication, including the Press, radio and television, and the teaching staff of primary and secondary schools and all interested non-governmental organizations, towards the education of all the people of the country about the situation in respect of the enjoyment of human rights and fundamental freedoms in their own communities and elsewhere, and about further steps required in order to secure the fullest and most effective realization of those rights and freedoms.

III

"6. /Requests... to appoint a Co-ordinating Committee/ to maintain contact with participants in the proposed celebrations and to facilitate the co-ordination of their activities;

"7. Invites the Governments of Member States and States members of the specialized agencies, the specialized agencies (and the interested organizations concerned) to inform the Secretary-General by the end of June 1967 of the action taken or intended to be taken by them in accordance with the present resolution, and invites them to inform him by March 1969 of the action taken during 1968;

"C. Requests the Secretary-General to submit to the General Assembly at its regular session in 1969 a report on these celebrations.

B

"The General Assembly, further

"Convinced that the proposed international review of progress in the field of human rights can advantageously be carried out by means of an International Conference, and

"Believing that the International Year for Human Rights should focus attention and mobilize public opinion throughout the world on human rights and that an international conference could make substantial contributions in this respect....".

186. At the twenty-ninth meeting of the Committee, the representative of the Netherlands suggested that it would hardly be judicious for the Committee to attempt to reformulate the entire draft resolution in order to take into account the recommendations on which it had reached agreement. He therefore proposed that the Committee should confine itself to adopting a very short draft resolution (ST/SG/AC.5/L.5), reading as follows:

"The Committee on the International Year for Human Rights,

"Having been requested by the Commission on Human Rights, in resolution 6 (XX), to recommend a programme of measures and activities to be undertaken by Member States, the United Nations and specialized agencies in celebration of the twentieth anniversary of the Universal Declaration of Human Rights and in the furtherance of human rights and fundamental freedoms,

"Having given due attention to General Assembly resolution 1961 (XVIII), on the designation of 1968 as International Year for Human Rights,

"Submits herewith its report and draws in particular attention to the recommendations contained therein, number I - _____."

187. The representative of France suggested that the operative paragraph of the Netherlands draft resolution should be amended to read: "Submits herewith its report and draws in particular attention to the recommendations which it has regularly adopted". The representative of the Netherlands was unable, however, to accept the suggestion.

188. The representative of Saudi Arabia suggested the insertion of the words "and the comments thereon," after the word "recommendations". The representative of

the Philippines suggested, as an alternative, the insertion of the document symbol after the word "report", and either the deletion of the word "in" or its replacement by the word "its" in the operative paragraph. The representative of the Netherlands accepted the Philippine alternative. He also accepted a suggestion put forward by the representative of the United States of America, to insert the words "to the Commission on Human Rights" after the word "report" in the operative paragraph.

189. The representative of France put, as a formal proposal, the suggestion which he had made that the operative paragraph of the draft resolution should be amended to read: "Submits herewith its report and draws in particular attention to the recommendations which it has regularly adopted."

190. The representative of the Union of Soviet Socialist Republics requested a separate vote on the word "Member", in the first preambular paragraph, explaining that in his view that paragraph should apply to all States and not only to Member States. In this connexion the representative of the Netherlands pointed out that the wording referred to by the representative of the Soviet Union had been taken directly from resolution 6 (XX) of the Commission on Human Rights, and that it was a text which could not be amended. In order to make this clear, he amended the first preambular paragraph by placing quotation marks around the phrase beginning "to recommend" and ending "and fundamental freedoms". Some members of the Committee opposed the proposal to delete the word "Member" on the ground that the resulting text would not correctly reflect the wording of resolution 6 (XX) of the Commission on Human Rights. Others opposed the request for a separate vote on the ground that the Committee had up to that time followed a procedure whereby all decisions were to be taken without recourse to voting and divergent views were to be recorded in the present report. The representative of the Soviet Union did not press his request for a separate vote.

191. With regard to the French proposal (see paragraph ___), there was a discussion in the Committee on the question whether the no-vote procedure which had been adopted by the Committee applied to the draft resolution submitted by the representative of the Netherlands. In this connexion the representative of France expressed the view that the only way to determine the terms of a decision or recommendation was to put the issue to the vote, except when there was unanimity on

a particular question; and that under the rules of procedure of functional commissions of the Economic and Social Council every member of the Committee had an indefeasible right to demand a vote. Other members, however, expressed the hope that the Committee would continue its work in a spirit of compromise, without votes. The representative of the Netherlands maintained that any vote on the substance of his draft resolution should be preceded by a vote on the procedural issue. The Chairman ruled that in view of the ambiguity of the decision which the Committee had taken at its twelfth session, he no longer considered himself to be bound by that decision, and proposed to proceed in accordance with the rules of procedure.

192. In an effort to achieve unanimity in the Committee, the representative of Canada proposed, at the thirty-first meeting, that the operative paragraph of the draft resolution should be amended to read: "Submits herewith its report (_____) to the Commission on Human Rights for its careful consideration." The representative of the Netherlands accepted this amendment and revised his proposal accordingly. The representative of Jamaica, supported by the representative of the Netherlands, requested the Rapporteur to draw the attention of the Commission on Human Rights to the draft proposed by the Working Group, making it clear that the new proposed text, as amended, was a compromise text.

193. The representative of France stated that if the Committee accepted the revised Netherlands proposal, he would withdraw the proposal which he had made at the thirtieth meeting (see paragraph _____).

194. In connexion with the resolution and with the Committee's discussion on section E of the Working Group's report the representative of France made a statement (ST/SG/AC.5/L.7).

195. At its 32nd meeting the Committee adopted the proposal of the representative of the Philippines on behalf also of the representatives of Argentina, Ecuador, France, Guatemala, the Ivory Coast, Jamaica, Lebanon and Uganda, to insert immediately after the resolution the text which appears below in paragraph 197.

196. The Committee unanimously approved the draft resolution submitted by the representative of the Netherlands, as revised, and read as follows:

The Committee on the International Year for Human Rights,

Having been requested by the Commission on Human Rights in resolution 6 (XX) "to recommend a programme of measures and activities to be undertaken by Member States, the United Nations and specialized agencies in celebration of the twentieth anniversary of the Universal Declaration of Human Rights and in the furtherance of human rights and fundamental freedoms",

Having given due attention to General Assembly resolution 1961 (XVIII), on the designation of 1968 as International Year for Human Rights,

Submits herewith its report (_____) to the Commission on Human Rights for its careful consideration.

197. Upon the adoption of the resolution transmitting the report to the Commission on Human Rights, the Representative of France made a declaration with particular reference to the decisions of the Committee in relation with section E of the report of the Working Group, which, together with the statements and observations of other members appear in the Summary Records (ST/SG/AC.5/SR.31-32) of the thirty-first and thirty-second meetings of the Committee.

PART IV

Adoption of the Report

198. At its 32nd-_____ meetings, the Committee considered the draft report submitted by its Rapporteur (ST/SG/AC.5/L.3 and Add.1-). The report, as amended, was adopted by the Committee at its _____ meeting on __ March 1965.